446 through 949 of SEQ ID NO:3 of the instant specification. It is the examiner's position that KIAA0849 as disclosed in Nagase represents a fragment of SEQ ID NO:3. This rejection is respectfully traversed.

The present application claims priority to parent application 09/646,043 which is a 371 national stage of PCT International application PCT/IL99/00158 filed March 18, 1999. Also claimed is foreign priority to Israeli application nos. 126024, filed September 1, 1998, and 134604, filed February 17, 2000. A copy of priority application IL126024 was transmitted by the International Bureau (IB) to the USPTO in parent application no. 09/646,043 (see the attached Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office mailed May 3, 2001, in parent application 09/646,403, where it is indicated that the priority document had been submitted by either the applicant or the IB to the USPTO as an elected office).

Applicants respectfully direct the examiner's attention to Figure 10 and Example 8 of the priority application IL126024, where it is disclosed that clone #10 encodes a polypeptide in which the putative ATG is missing. This clone #10 encoded partial polypeptide was found to have strong affinity/binding to TRAF2 (second paragraph of Example 8), as recited in claim 2, and later identified to be a fragment of the complete polypeptide (SEQ ID NO:3) encoded by clone compl. 10 as disclosed in the instant specification at page 100 (Example 2) and page 29 and in Figure 3. Accordingly, a fragment of the amino acid sequence of SEQ ID NO:3, as recited in claim 2 subpart (C) is supported by priority application IL126024, whose September 1, 1998, filing date

antedates the December 1998 publication date of the cited and applied Nagase reference. Accordingly, Nagase is not available as prior art against the presently claimed invention.

Reconsideration and withdrawal of the rejection are therefore respectfully requested.

Claims 2, 4, 20, 38-40, 42, 43, and 47 have been rejected under 35 U.S.C. §102(a) as being anticipated by Bignell et al., *Nature Genetics* 25:160-165 (June 2000). This rejection is respectfully traversed.

SEQ ID NO:3 in the instant application is disclosed in Israeli priority application IL134604, filed February 17, 2000. As the filing date of the priority application antedates Bignell's reference date of June 2000, Bignell is not available as prior art once the claim to priority of IL134604 is perfected. A certified copy of the IL134604, which was filed in English, will be filed shortly with the USPTO to perfect the claim for priority. In the meantime, an unofficial copy of the IL134604 priority application is attached hereto for the examiner's consideration. The Brief Description of the Drawings section on page 22 discloses that Fig. 3 shows the predicted amino acid sequence of NAP. Example 2 on page 74 also discloses that the amino acid sequence of the NAP polypeptide, as deduced from the cDNA sequence of clone compl. 10 is shown in Fig. 3. Likewise, in the instant specification, Example 2 on page 100 has the same disclosure and on page 29, Fig. 3 is disclosed as showing SEQ ID NO:3, the predicted amino acid sequence of NAP. Therefore, SEQ ID NO:3 was

earlier disclosed in IL134604, and Bignell et al. is not available as prior art.

Reconsideration and withdrawal of this rejection are therefore respectfully requested.

Claims 21-24 and 44-46 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Nagase in view of applicant's admission in the paper filed September 23, 2002, pages 2-6 that it would be obvious for one of skill in the art to make antibodies to a protein that is known in the prior art. This rejection is respectfully traversed.

With due respect to the examiner, the examiner has misinterpreted applicant's admission in the paper filed September 23, 2002. Applicants stated on page 4 of the amendment filed September 23, 2002, that the concession that the antibodies would be *prima facie* obvious in the sense of §103 is made only if the protein and its biological function/properties were known in the prior art. In Nagase, there is no disclosure, teaching or suggestion the of biological activity/property, and therefore one of ordinary skill in the art would not be motivated to generate antibodies against a predicted amino acid sequence from a coding sequence of unidentified human genes of unknown function. Furthermore, and more importantly, Nagase is not available as prior art as discussed above in the §102(b) anticipation rejection and cannot be used to make obvious the presently claimed invention.

Reconsideration and withdrawal of the rejection are therefore respectfully requested.

Claims 21-24 and 44-46 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Bignell in view of Applicants' admission in the paper filed September 23, 2002, that it would be obvious for one of skill in the art to make antibodies to a protein known in the prior art. This rejection is respectfully traversed.

As discussed in the §102(a) anticipation rejection over Bignell, Bignell is not available as a prior art reference against the claims. Accordingly, reconsideration and withdrawal of the rejection are therefore respectfully requested.

In view of the above, the claims comply with 35 U.S.C. §112 and define patentable subject matter warranting their allowance. Favorable consideration and early allowance are earnestly urged.

Respectfully submitted,

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